

### REMARKS

Claims 10 and 19 have been amended. The amendments to the claims further define the invention and place the claims in better form. Support for the amendments can be found in the specification and figures, specifically page 7, lines 30-31 and Figure 3. Attached hereto is a marked-up version of the changes made to Claims 10 and 19 by the above amendment. The attached page is entitled "Version with markings to show changes made".

#### Double Patenting rejection

Claims 10-19 are provisionally rejected as being unpatentable over claims 1, 2-7, and 20 of copending Application No. 09/553,641 and Claim 19 is provisionally rejected as being unpatentable over claims 20 of copending Application No. 09/553,871. These rejections will be addressed upon allowance of the claims.

#### Rejection under 35 USC 112 Second Paragraph

The Examiner has rejected Claims 10-27 under 35 USC 112 as being indefinite for failing to particularly point out and claim the subject matter which applicant regards as the invention. The Examiner states that the term "prebonded" is indefinite. The term prebonded has been removed from the claims.

#### Rejection under 35 USC 102/103

Claims 10-14, 17, 19-23 and 26 are rejected under 35 USC 102(b) as being anticipated by or in the alternative, under 35 USC 103(a) as obvious over Srinivasan et al. (5,567,501) for the reasons of record. Srinivasan et al. discloses a process for producing an apertured nonwoven fabric. Figure 1(d) shows the aperture 30 which is square in shape. It appears from Figure 1(d) that the aspect ratio of the aperture would be approximately 1. The present invention, as amended in Claim 10 and 19, requires that the bond site have an aspect ratio greater than about 3. The aspect ratio is the ratio of the length of the bond site to the width of the bond site. (page 7, lines 17-34) Figure 3 of the present invention details an example of the bond site showing the aspect ratio being greater than about 3. The disclosure in Srinivasan et al. does not anticipate the specific shape of the bond site as required

in the amended claims. One having ordinary skill in the art would not be motivated to develop the present invention based on the Srinivasan et al.

CONCLUSION

Applicants have made an earnest effort to distinguish the claimed invention from the applied document and place the Claims in condition for allowance. Reconsideration of this application, in view of the amendments and remarks provided, and allowance of Claims 10-27 as amended are requested. In the event that issues remain prior to allowance of the pending claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

10. (Thrice Amended) A laminate web having a plurality of apertures, said laminate web comprising:

- (a) a first [prebonded] extensible web comprising a material selected from the group consisting of nonwoven, polymeric film, and combinations thereof, having a first elongation to break;
  - (b) a second [prebonded] extensible web comprising a material selected from the group consisting of nonwoven, polymeric film, and combinations thereof, joined to said first [prebonded] extensible web at a plurality of bond sites, the second [prebonded] extensible web having a second elongation to break; and
  - (c) a third web material disposed between said first and second [prebonded] extensible webs, said third material having a third elongation to break which is less than both of said first or second elongations to break, and said third material being apertured in regions coincident said bond sites;
- wherein said first and second [prebonded] extensible webs of said laminate web are apertured at said bond sites --and said bond site has an aspect ratio greater than about 3--

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19. (Twice Amended) A laminate web having a plurality of apertures, said laminate web comprising:

- (a) a first and second [prebonded] extensible webs comprising a material selected from the group consisting of nonwoven, polymeric film, and combinations there, being joined and apertured at a plurality of discrete bond sites --having an aspect ratio greater than about 3--;
- (b) a third material disposed between said first and second [prebonded] extensible webs; and
- (c) the first and second [prebonded extensible] webs being in fluid communication via the apertures and having distinct regions being differentiated by at least one property selected from the group consisting of basis weight, fiber orientation, thickness, and density.